

UNITED STATES DISTRICT COURT

for the

District of New Jersey

United States of America)

v.)

Robinson Guzman)

Case No: Cr. 02-761-01 (PGS)

USM No: _____

Date of Previous Judgment: 07/09/2003

Robinson Guzman, Pro Se

(Use Date of Last Amended Judgment if Applicable)

Defendant's Attorney

Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

IT IS ORDERED that the motion is:

☒ **DENIED.** ☐ **GRANTED** and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of _____ months **is reduced to** _____.

I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: _____

Amended Offense Level: _____

Criminal History Category: _____

Criminal History Category: _____

Previous Guideline Range: _____ to _____ months

Amended Guideline Range: _____ to _____ months

II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE☐ The reduced sentence is within the amended guideline range.

☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.

☒ Other (explain):

This matter was reviewed by the Public Defender's Office. The Public Defender found Mr. Guzman received the minimum mandatory sentence as required by the statute and did not seek appointment in this matter. Upon further review, it is the finding of the Court that the retroactive effect of the amendment to the crack cocaine sentencing

III. ADDITIONAL COMMENTS

guideline does not affect the original sentence because the defendant was sentenced to the mandatory minimum under the statute.

Except as provided above, all provisions of the judgment dated _____ shall remain in effect.

IT IS SO ORDERED.Order Date: 07/08/2009


Judge's signature

Effective Date: _____
(if different from order date)

Hon. Peter G. Sheridan, U.S. D.J.

Printed name and title